

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**May 21, 2024**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: David Virgil Wyman

Case Number: 0980 2:18CR00059-MKD-1

Address of Offender: [REDACTED] Deer Park, Washington 99006

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Mary K. Dimke, U.S. District Judge

Date of Original Sentence: February 5, 2020

Original Offense: Crime on Indian Reservation, Robbery in the First Degree , 18 U.S.C. § 1153

Original Sentence: Prison - 58 months;
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: U.S. Attorneys Office

Date Supervision Commenced: May 7, 2024

Defense Attorney: Federal Defenders Office

Date Supervision Expires: May 6, 2029

PETITIONING THE COURT

To issue a warrant.

On May 13, 2024, the undersigned officer reviewed the offender's conditions of supervised release. David Wyman signed the judgment acknowledging he understood the conditions as imposed by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition # 1:</u> You must not commit another federal, state or local crime.
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Supporting Evidence: On May 19, 2024, it is alleged that David Wyman committed the offense of fourth degree assault and third degree malicious mischief.

Specifically, on May 19, 2024, Spokane County sheriff deputies were dispatched to the residence where Mr. Wyman was residing. Upon arrival they learned that Mr. Wyman had assaulted another resident at that location and set the individual's four wheeler on fire.

Given the witness statements and physical evidence, deputies established probable cause to arrest Mr. Wyman for the offense of fourth degree assault and third degree malicious mischief.

David Wyman was booked into the Spokane County Jail and released on May 19, 2024. The above-noted charges remain pending.

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- 2 **Standard Condition # 5:** You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 calendar days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

Supporting Evidence: It is alleged that David Wyman changed his residence on May 19, 2024.

As reflected in alleged violation 1, Mr. Wyman is alleged to have assaulted residents at his reported address and vandalized property. The residents at that location informed law enforcement they no longer wanted Mr. Wyman to reside at that location. Subsequently, he was trespassed from the location.

At the time of this writing, Mr. Wyman has not provided information regarding where he is now residing and his whereabouts are unknown.

- 3 **Special Condition # 5:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: It is alleged that David Wyman has failed to schedule a substance abuse evaluation as directed.

Specifically, on May 13, 2024, David Wyman was instructed by the undersigned officer verbally and in writing to schedule a substance abuse evaluation at ADEPT treatment center. To date, he has failed to schedule his substance abuse assessment.

- 4 **Special Condition # 6:** You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: It is alleged that David Wyman consumed alcohol on or about May 19, 2024.

Specifically, on May 19, 2024, Spokane County sheriff deputies contacted and arrested Mr. Wyman. According to responding deputies, Mr. Wyman appeared intoxicated as he was slurring his words and mumbling.

- 5 **Special Condition # 3:** You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.

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Supporting Evidence: It is alleged that David Wyman has failed to schedule a mental health evaluation as directed.

Specifically, on May 13, 2024, David Wyman was instructed by the undersigned officer verbally and in writing to schedule a mental health evaluation with Pioneer Human Services. To date, he has failed to schedule his mental health assessment.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

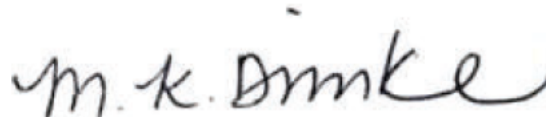

Executed on: 05/20/2024

s/Richard Law

Richard Law
Supervisory U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

Signature of Judicial Officer
5/20/2024

Date